

**James Vlahakis**

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**From:** James Vlahakis  
**Sent:** Wednesday, February 26, 2020 2:27 PM  
**To:** Weller, Jennifer  
**Cc:** Jessie Sharon  
**Subject:** FW: Activity in Case 1:19-cv-08077 Nash v. Midland Credit Management, Inc. order on motion for miscellaneous relief

Hello Jen:

I'm writing pursuant to FRCP 1 to ask if MCM intends to assert arbitration, and if yes, ask MCM to identify documentation supporting why MCM is entitled to move to compel arbitration. I'm not asking for a declaration in support at this time. Rather, I want you to vouch for the operative terms and conditions/card-holder agreement as well as the specific debt purchase agreements that may support MCM's claim that it is entitled to invoke and prevail on an arbitration clause.

If you decline to respond, I will explain my position to the court (that I proposed to create a streamlined approach to deciding the issue of arbitration, but that you rejected my proposed approach). Also, I believe that this case may have been one where early on I told you that I'd expect you to dig into the existence of an enforceable arbitration agreement, despite the entry of a stay.

There is no burden to you or MCM because other counsel defending MCM in other venues have quoted arbitration language in their answers, or have provided it to me pre-answer, along with necessary language from debt purchase agreements.

-Thank you in advance, James

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**Sent:** Monday, February 3, 2020 10:25 AM  
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**United States District Court**

**Northern District of Illinois - CM/ECF LIVE, Ver 6.3.1**

## Notice of Electronic Filing

The following transaction was entered on 2/3/2020 at 10:24 AM CST and filed on 1/30/2020

**Case Name:** Nash v. Midland Credit Management, Inc.

**Case Number:** [1:19-cv-08077](#)

**Filer:**

**Document Number:** [13](#)

### Docket Text:

**ORDER: Plaintiff's motion to lift stay [11] is granted in view of the Seventh Circuit's ruling in the Preston appeal. Parties are directed to meet and confer on the wide range of issues relating to this and other related cases pending in this district. This case is set for further status hearing on 3/4/2020 at 9:45 a.m. The Court requests that counsel file a written status report on the docket by 3/2/2020 advising of any agreement or disagreements on how to proceed. Signed by the Honorable Robert M. Dow, Jr on 1/30/2020. Mailed notice(pk, )**

### 1:19-cv-08077 Notice has been electronically mailed to:

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